

MUNICIPAL COURT, TOWN OF FIRESTONE, WELD COUNTY, STATE OF COLORADO

CASE NO. _____

FIRST APPEARANCE ADVISEMENT _____

Please be advised that you have the following rights regarding your case:

1. You have the right to request that bail be set if you are incarcerated, and you have the right to have your arraignment continued upon request for good cause shown.
2. You have the right to remain silent and not make any statement about your case, any statement you make can and may be used against you.
3. You have the right to be represented by an attorney, and, if indigent, the right to appointed counsel as may be applicable.
4. You have the right to be presumed innocent, and if you plead not guilty the prosecution must prove all charges against you beyond a reasonable doubt.
5. You have the right to have subpoenas issued by the court, without expense to you, to compel the attendance of witnesses on your behalf.
6. You have the right to testify or not to testify on your own behalf.
7. Trial shall be to the court, unless you are entitled to a jury trial under the constitution, ordinances, charter, or general laws of the state, in which case you may have a jury, if, within twenty-one days after arraignment or entry of a plea, you file with the court a written jury demand and at the same time tender to the court a jury fee of \$25.00, unless the fee is waived by the judge because of your indigence. When a jury trial is granted, the jury shall consist of three jurors unless a greater number, not to exceed six, is requested by you in the jury demand.
8. You have a right to a speedy and public trial and to confront and cross examine the witness called to testify against you.
9. You have the right to appeal following trial.
10. If you are not a U.S. citizen, a guilty plea or no contest plea may have serious immigration consequences. If your status is such, you may want to speak with an attorney before proceeding.

11. ADVISEMENT TO DEFENDANT CONCERNING SEALING OR EXPUNGING RECORDS: Pursuant to C.R.S. § 24-72-708, *et seq.*, you may be entitled to have your case or conviction records sealed. Pursuant to C.R.S. § 19-1-306, juveniles may be entitled to have their case or conviction records expunged. Certain limitations and time limits apply. For more information and forms go to: www.courts.state.co.us or consult with an attorney.

In many cases, the Town Attorney will make a plea bargain offer based on your driving record, if your summons is for a traffic violation, or based on your criminal history if your summons is for an ordinance violation. If a plea bargain offer has been made, a separate Motion will be presented to you detailing the Town's offer, which you must sign and return to the Court Clerk if you desire to accept the Town's offer. You may either accept the plea bargain offer or set your case for trial. If you plead not guilty, you may have a pre-trial conference with the Town Attorney regarding your case. The purpose of the conference is to determine whether or not you and the Town Attorney can reach an agreement regarding your case. Any discussions you have with the Town Attorney at the conference regarding your case cannot be used against you. If you have any questions regarding these Court procedures, please ask the Court Clerk or Judge.

I hereby acknowledge that I have carefully read and fully understand this Advisement.

Defendant: _____

Date: _____

Parent/Guardian (if Defendant under 18 years of age): _____

Attorney: _____